

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
)
 8:10CR146
Plaintiff,)
)
)
vs.)
 ORDER
)
)
RICHARD COSTANZO,)
THERESA COSTANZO,)
JANNA WASKO and)
MICHAEL WASKO,)
)
Defendants.)

This matter is before the court on the motions for an extension of time by defendants Richard Costanzo ([Filing No. 58](#)), Janna Wasko ([Filing No. 69](#)) and Michael Wasko ([Filing No. 60](#)). The defendants seek an extension of time in which to file pretrial motions in accordance with the progression order. Defendant Janna Wasko also seeks a Rule 17.1 conference ([Filing No. 69](#)). Upon consideration, the motions will be granted and the pretrial motion deadline will be extended as to all defendants.

IT IS ORDERED:

1. Defendant Richard Costanzo's motion ([Filing No. 58](#)), Janna Wasko's motion for an extension ([Filing No. 69](#)), and Michael Wasko's motion ([Filing No. 60](#)) are granted. All defendants in this case are given until **on or before July 16, 2010**, in which to file pretrial motions pursuant to the progression order. The ends of justice have been served

by granting such motions and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **June 21, 2010 and July 16, 2010**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendants' counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

2. Janna Wasko's motion for a Rule 17.1 conference ([Filing No. 69](#)) is granted to the extent the undersigned magistrate judge will confer with counsel in Courtroom No. 7, Second Floor, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, on **July 12, 2010 at 9:00 a.m.** for the purpose of progressing this matter to trial. All counsel shall be present with their calendars. Defendants need not be present for the conference.

DATED this 21st day of June, 2010.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge